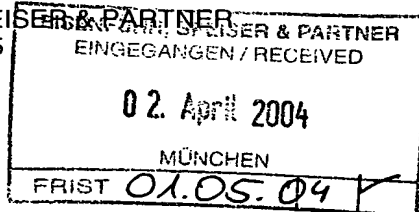


PATENT COOPERATION TREATY

10/501944

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY2004
PCT

To:

Ungerer, Olaf
EISENFÜHR, SPEISER & PARTNER
Association No. 15
Arnulfstrasse 25
D-80335 München
ALLEMAGNEWRITTEN OPINION
(PCT Rule 66)Date of mailing
(day/month/year)

01.04.2004

Applicant's or agent's file reference
NM5185**REPLY DUE within 0 month(s) and 15 days**
from the above date of mailingInternational application No.
PCT/EP 02/00548International filing date (day/month/year)
21.01.2002Priority date (day/month/year)
21.01.2002International Patent Classification (IPC) or both national classification and IPC
H04L29/06Applicant
NOKIA CORPORATION

1. This written opinion is the **second** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 21.05.2004

Name and mailing address of the international
preliminary examining authority:European Patent Office - Gitschiner Str. 103
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Authorized Officer

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Formalities officer (incl. extension of time limits)
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I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-36 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1,21,32
Inventive step (IS)	Claims	2-20,22-31,33-36
Industrial applicability (IA)	Claims	

2. Citations and explanations**see separate sheet**

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1) The examiner has read the comments of the applicant in his letter of reply dated 12.02.2004. The examiner agrees with the applicant in that the combination of the two cited documents cannot be regarded as obvious to the skilled person.

2) However, the claims have been drafted in such a way that the application does not meet the requirements of Article 33(1) PCT because the subject-matter of claims 1, 21 and 32 is not new in the sense of Article 33(2) PCT.

2.1) The document D2 discloses (the references in parentheses applying to this document) a method of changing a subscription information of a subscriber in a data network, comprising the steps of:

- a) detecting a change in said subscription information of said subscriber (see page 10, lines 16-18; when the terminal moves, the VLR receives subscription information regarding additional services from the HLR; this subscription information is "new" for the VLR, so it can be interpreted as a change)
- b) checking whether a capability of a network element serving a terminal device of said subscriber is still in accordance with said changed subscription information (see page 11, lines 7-8; the network element M-SSP1 serving the terminal device cannot cope with the additional services)
- c) initiating in response to the result of said checking step a registration procedure for registering said terminal device of said subscriber to a new serving network element (see page 11, lines 9-20; a second network element M-SSP2 is selected)

The subject-matter of **claim 1** is therefore not new (Article 33(1) and (2) PCT).

2.2) The system **claim 21** and the subscriber database **claim 32** correspond to the method claim 1. D2 also discloses a system to carry out the method as defined by the technical features of claim 1, and the corresponding database. Therefore, the subject-matter of claims 21 and 32 is not new (Article 33(1) and (2) PCT).

3) Dependent **claims 2-20, 22-31 and 33-36** do not contain any features which, in

combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT) and/or inventive step (Article 33(3) PCT), because they are disclosed in D2 or are obvious to the skilled person.